

TRANSITION TO MODERN AGE :
MACHIAVELLI, KAUTILYA, JEAN BODIN, HUGO GROTIUS
Decay of feudal authority—the rise of nation state.

MACHIAVELLI, contribution of. (**Niccolò di Bernardo dei Machiavelli** (May 3, 1469–1527) Italian diplomat, political philosopher, musician, poet and playwright, a figure of the Italian Renaissance. Being a high ranking government official, he has first hand knowledge of state craft and foreign affair. Machiavelli was born into a tumultuous era in which Popes were leading armies, and wealthy city-states of Italy would fall one after another into the hands of foreign powers — France, Spain and the Holy Roman Empire



Figure 1 Machiavelli's cenotaph¹ in the Santa Croce Church in Florence

Machiavelli was much influenced by the political and intellectual tendencies of his age. Machiavelli was a **child of Renaissance** which ushered in an era of unrestrained intellectual outlook and freedom from scholastic dogma. Above all, **Florence** was the centre of Italian Renaissance. Renaissance impelled man to **think beyond and without the Church**. It ushered in an **era of nationalism** in which man, God and nature were viewed from the standpoint of **Reason and not faith**. Now it was possible to formulate political theories purely on a secular basis. Machiavelli was the champion of this school of thought even though he stood in the margin of modern age and medievalism.

In the Middle Ages, people had concentrated on matters of spirit, salvation and God. With Renaissance, man, instead of God became the centre of human thought. There developed a tendency to concentrate on **this world**, enrichment of **personality and enjoyment of beauty**.

This in turn led to the development of **nationalism** and **individualism**. It meant national success and individual success. It demanded **self assertion** and action. It demanded **power**. Power became **good** in itself.

Machiavelli started at the point in which Aristotle stopped. He freely used the concepts of **Aristotle** instead of Christian dogma. Machiavelli followed the **empirical method observation**, reinforced by **historical method**. He studied contemporary politics, analyzed them, formed his conclusions and then summoned history to substantiate them. Being a **realist** he cared little for political philosophy. He was more interested in the **actual working** of the government than abstract principles. He concentrated more on the **preservation** of the state **than excellence** of the constitution. He viewed things from the **standpoint of the ruler** and not the ruled. Above all, he **denied the existence of the two swords**, secular and clerical.

On Human Nature: Like Hobbes, Machiavelli also did not believe in the essential goodness of human nature. Man is “ungrateful, fickle², deceitful, cowardly and avaricious³” They are originally irrational and are moved by their emotions. Fear is the only dominating element in man. Therefore, a Prince must personify fear.

The Prince: Machiavelli's *Prince* is not an academic treatise or a book of political science. But it is a book of practical politics. Like Aristotle, it holds that State is the highest form of human organisation indispensable for the welfare of its subjects. The state is ruled by a Prince

¹cenotaph tomblike monument to a person whose body is elsewhere. [Greek kenos empty, taphos tomb]

²fickle. inconstant, changeable, disloyal.

³avarice n. extreme greed for wealth.

who combines both the rational and the brutal. A Prince must have the qualities of a lion in organizing expeditions. He should have the qualities of a fox in diplomatic matters. He must avoid being condemned or hated. He should be only feared. He must be free from emotional disturbances but must take advantage of emotional disturbance of other people. He is a calculating opportunist. He must oppose evil by evil. He must be ready to sin for the sake of the state. Dishonesty is the best policy.

Separation of Politics from Ethics and Religion: Machiavelli broke away from the traditions of Plato, Aristotle and Medieval thinkers. The state was not a means to an end but an end in itself with its own interests. State power was an end in itself and not a means to higher moral end of promoting social welfare. The end justified the means. Interests of the state justified everything. State actions are not to be judged by individual ethics. There is a double standard for the ruler and the ruled. The state has no ethics. It is a non-ethical entity. The state is neither moral nor immoral but non-moral. It is not a moral entity like the individual and therefore, individual ethics do not apply to it.

Machiavelli's ideal prince is an enlightened despot of non-moral type.

To Machiavelli, the Church is only a department of the state and not independent of it. The Church had a place within the state and not above or beside it. Ethics and religion were social forces, working within the state, not above it.

A state must either expand or expire. Roman state and its policy of expansion is ideal.

Machiavellianism has become a by word for unscrupulousness⁴.

Machiavelli may be called the founder of Utilitarian ethics.

Machiavelli's doctrine is 'a theory of preservation of states rather than theory of state'.

Machiavelli was a political realist than a political philosopher.

Machiavelli brought political theory in line with political practice.

Contribution: Rejection of medieval thought. -- Divorced ethics and politics.—conceived of a national, territorial and secular state instead of a co ordinate, autonomous and hierarchical state. --- Rejected Papacy and Holy Roman Empire--- Conceived of Nation State – He created the meaning to the term state with its population, territory, government and sovereign authority.

2003, 4, 5, 6, 7, 8

Essay:

1. Machiavelli: contribution to political thought. 07 05

Short Essays:

1. Machiavelli: "The Prince of Machiavelli is a work on the art of governance." Discuss. 03
2. Machiavelli: Evaluate \diamond contribution to Political Thought. 06

⁴ unscrupulous adj. having no scruples, unprincipled.

**TRANSITION TO MODERN AGE:
MACHIAVELLI, KAUTILYA, JEAN BODIN, HUGO GROTIUS
Decay of feudal authority—the rise of nation state.**

JEAN BODIN: 1530–1596 Theory of Sovereignty and Revolution.



Jean Bodin was born in Angers, France, and became a French jurist and political philosopher, member of the Parlement (not to be confused with the English *Parliament*) of Paris and professor of Law in Toulouse. He is best known for his theory of sovereignty. Bodin lived during the Reformation, writing against the background of religious and civil conflict—particularly that, in his native France, between the (Calvinist) Huguenots and the state-supported Catholic Church. He chose to convert to Judaism which was

a very risky option at that time. The wars continued for a period of 40 years. This pitiable condition gave rise to a new party of moderates known as *Politiques*. Jean Bodin was one of the three writers of this party. The political theory of the Politiques was simple and attractive. They advocated the restoration of political unity by recognizing religious diversity. The great need of the state is simple order. Religious interests were secondary consideration. Hence religious toleration was necessary.

Jean Bodin was one of the greatest thinkers of the 16th century. He was a great intellectual knowing many languages, sciences and also religious texts. His philosophy touched almost all aspects of political thought. Bodin understood the need of the times: political unity of France. He developed the concept of sovereignty which attracted all. He also supported an absolute monarchy which would save France of its internal strife. This was a practical approach. It emphasized on two aspects. 1. Religious Toleration and 2. Absolute sovereign.

Bodin on Sovereignty:

Sovereignty is originally vested in the people in their collective capacity. But it is customary for the people to delegate it to the princes or other functionaries of government. It is the will of the state. It transcends lesser wills. It is the legal competence of the state. It enables the state to manage the affairs of other associations and individuals. It is the source of law and that it is above law. The person or the persons holding this power are the sovereign and have supreme power over all persons. But sovereignty belongs to the state than the sovereign. Sovereign may die; but sovereignty will continue. He rejects the extraterritorial authorities like the Papacy and the Holy Roman Empire to control over a sovereign national state. He made the state externally independent. He tried to make the sovereign internally supreme to all other associations. Sovereignty may be exercised collectively as in a democracy or it may be exercised by few or by one.

Sovereignty is indivisible. It is an expression of the will of the community and as such cannot be divided. There cannot be more than one sovereign in the state. It has no source except the

will of the community. It is not a gift of God. It is inalienable, because to alienate sovereign from the state means to destroy the state. It is unrestrained by law. The sovereign himself is the source of law and as such is above it.

Without good cause, a sovereign cannot take away the private property of the citizen. This is because private property is associated with family which is the unit of the state. The state is based on sovereignty, family and private property. To destroy or weaken any one of them is to destroy or weaken the state. The sovereign has no right to tax without the consent of the people.

Bodin on Revolution:

A Revolution may be sudden and violent or slow and peaceful. It brings in two changes: those which affect the sovereign and those which affect laws and institutions not involving the sovereign. If sovereignty shifts its location, then there is a revolution even though everything else like the laws and religion remain the same. The cause of revolution may be human natural or divine.

Topography and climate have an effect on the character and behavior of people. Northern people are physically well built but slow of movement and mind. Southerners are physically weak but are acute of mind. The people of middle region combine the virtues of both the others. They are moderate and rational. Northern people are bold and warlike and will have popular governments. Southern people living in hot climate will put up with despotism.

Conclusion: Bodin exerted a good deal of influence on contemporary thought in France and England and his conception of sovereignty affects political thought even at present.

Short Essay:

1. Jean Bodin: Discuss the political ideas of Jean Bodin. 06

Short Answer:

2. Jean Bodin on Sovereignty. 07 05

× ☒

TRANSITION TO MODERN AGE:
MACHIAVELLI, KAUTILYA, JEAN BODIN, HUGO GROTIUS
Decay of feudal authority—the rise of nation state

Hugo Grotius (1583-1645)

(Theory of Sovereignty and Law)



Portrait by Michiel Janszoon van Mierevelt; in the Rijksmuseum, Amsterdam.

Worked as a jurist in Holland. At the age of 16, he became a Doctor of Law and laid the foundations with Francisco de Vitoria and Alberico Gentili for **international law, based on natural law.** (*On the Law of War and Peace* (1625), one of the first great contributions to modern international law.) He was also a philosopher, Christian apologist, playwright, and poet.

Like Bodin, Hugo Grotius also believed in religious toleration and end of enmity between Catholics and Protestants in Europe. **Classification of Laws:** Grotius classified all laws as either Natural law (*Jus Naturale*) based on reason and volitional based on will. (*Jus Voluntarium*).

Jus Naturale is primarily a dictate of human reason rather than divine will. It is not inferior to divine law. God himself cannot change Law of Nature. Even God cannot cause that two times two should not make four. Natural Law is independent of Divine guidance and power. Human nature and reason constitute the foundation of all laws. The law of nature is not the expression of the will. But it is based on reason. So it is eternal and universal. It is good both for societies and individuals. Men obey law of nature because he is rational and social.

Jus Voluntarium it is a sub ordinate of *Jus Naturale*. It is sub divided into Law of God (*Jus Divinum*), Law of the State (*Jus Civile*), and Law of Nations (*Jus Gentium*). *Jus Gentium* provides a body of international customs.

International Law developed through three stages. In the first phase, which is pre Roman, there was little international law. In the second phase, the Roman phase, it was the Romans or a central authority which decided international code of conduct. In the third phase, after the Holy Roman Empire and Papacy began with Reformation.

Hugo Grotius, the founder of modern international law gives the following bases to international law. 1. **States relates** internationally according to the **law of nature**. 2. **International Law** is to be regulated **according to the law of nature**. 3. International law is based on the **consent of the member nations**. 4. **Sovereignty is territorial** and not universal. 5. All the states are **internally supreme** and **externally independent**. 6. **All states are equal**.

Hugo Grotius on Sovereignty: Sovereignty is the necessary **product of social life**. It is of **human origin**. It is **vested in the people**. It is **delegated conditionally or unconditionally**. It may be **concentrated or divided**. Grotius did not believe either in inalienable right of the people of the Divine Right of the king. It **originates from the people**. However, once they delegate it to the government, they cannot take it back. People have **no right to resist** the sovereign in any case. People must remain **completely subject** to the sovereign. The will of the **sovereign is supreme**. The sovereign is completely independent of other sovereigns or any supra national authority like the Holy Roman Empire or the Papacy. Each sovereign **within their territorial authority is supreme** in all matters secular or ecclesiastical. Legally and diplomatically each sovereign state is equal with all other states. In order to enjoy this equality, the sovereign states must have a **civilization**, a **fixed territory**, an organized **government and stability**.

Short Essay: Hugo Grotius: Examine the importance of Hugo Grotius on the development of **International Law**. Short Answers: Hugo Grotius on **international law**. +●□